

**SEMINOLE COUNTY GOVERNMENT  
LAND PLANNING AGENCY/PLANNING & ZONING COMMISSION  
AGENDA MEMORANDUM**

**SUBJECT:** Small Scale Land Use Amendment from Low Density Residential to Office and rezoning from A-1 (Agriculture) to OP (Office Professional) – Lakewood Pointe (Lee Munizzi)

**DEPARTMENT:** Planning and Development **DIVISION:** Planning

**AUTHORIZED BY:** Matthew West **CONTACT:** Amanda Smith **EXT.** 7339

**Agenda Date** 03/06/02 **Regular** ☐ **Consent** ☐ **Work Session** ☐ **Briefing** ☐  
**Public Hearing – 1:30** ☐ **Public Hearing – 7:00** ☒

**MOTION/RECOMMENDATION:**

Recommend approval of the small scale land use amendment from Low Density Residential (LDR) to Office, for property located on the east side of Longwood-Lake Mary Road, approximately ¼ mile south of Greenway Boulevard, as requested by Lee Munizzi.

Recommend approval of the proposed rezoning from A-1 (Agriculture) to OP (Office-Professional), by means of the attached development order and site plan.

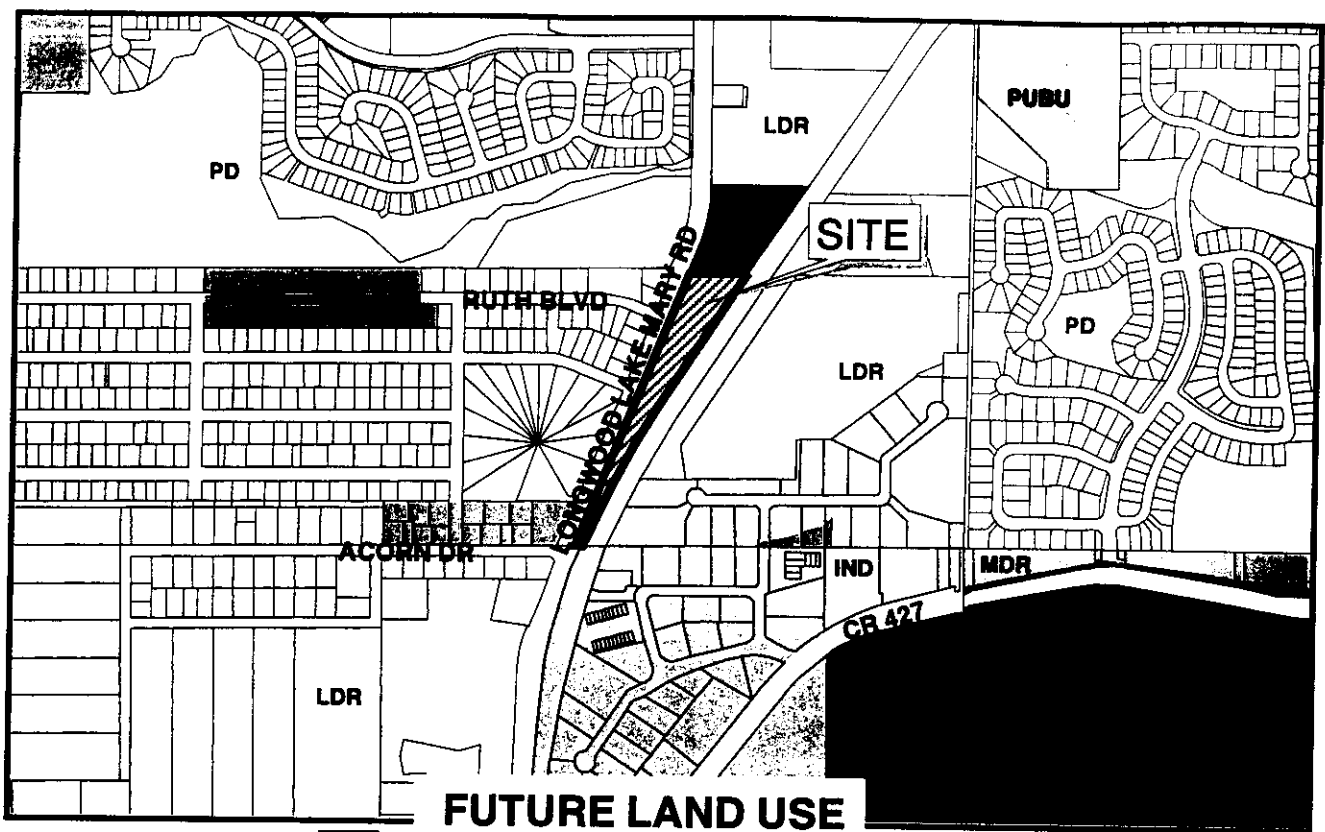
District 2, Morris

Amanda Smith, Planner

**BACKGROUND:**

The applicant is requesting a small scale land use amendment from Low Density Residential to Office and rezoning from A-1 (Agriculture) to OP (Office Professional) on approximately 3.9 acres located on the east side of Longwood-Lake Mary Road.

Reviewed by:  
Co Atty: REC  
DFS: \_\_\_\_\_  
Other: \_\_\_\_\_  
DCM: \_\_\_\_\_  
CM: \_\_\_\_\_  
File No. Z2001-  
053/01.02SS.2

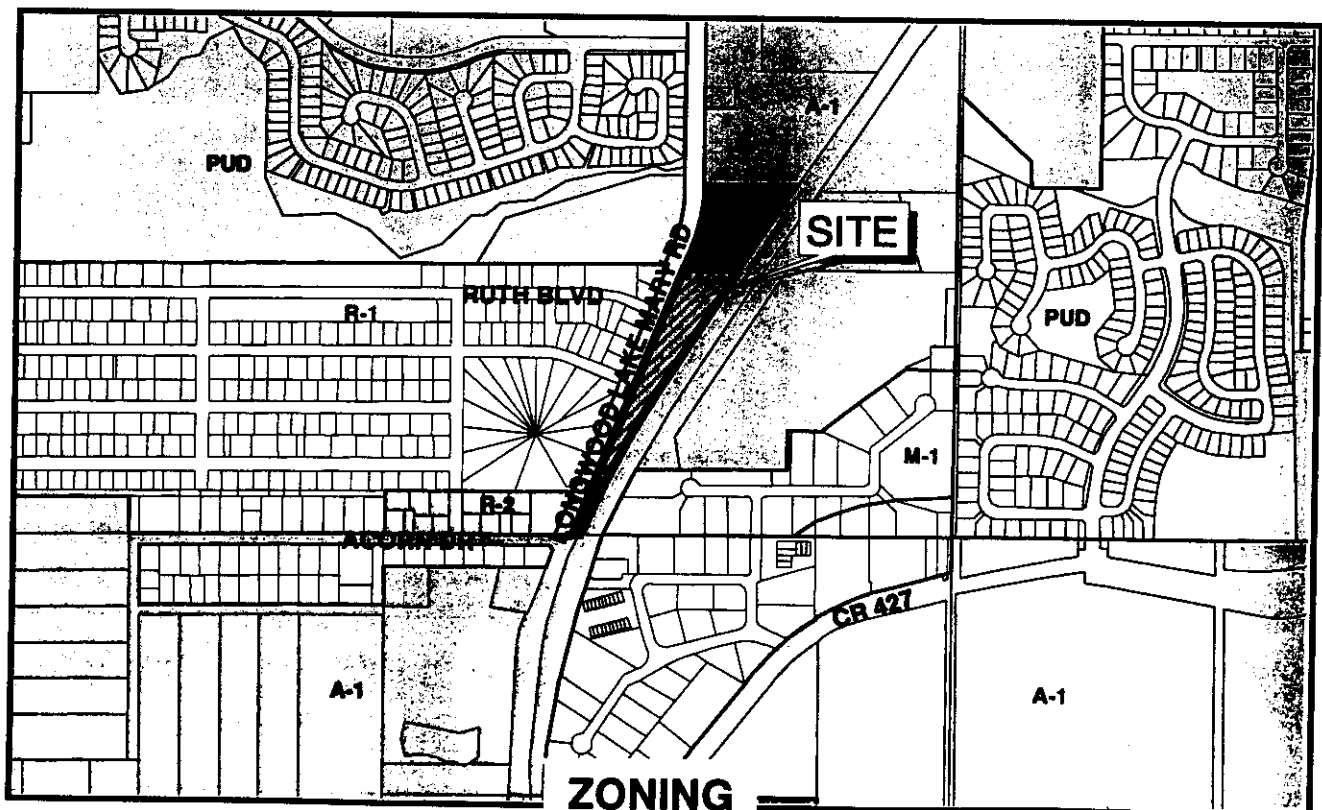


### FUTURE LAND USE

Site 
  Municipality 
  COM 
  LDR 
  PD 
  PUBC 
  IND 
  MDR 
  REC 
  PUBU

Applicant: Lakewood Pointe  
 Physical STR: 20-20-30-300-0170-0000  
 Gross Acres: 3.9 BCC District: 2  
 Existing Use: Vacant  
 Special Notes: \_\_\_\_\_

	Amend/ Rezone#	From	To
FLU	01-02SS.2	LDR	OFF
Zoning	Z2001-053	A-1	OP



### ZONING

A-1 
  R-1 
  R-2 
  PUD 
  M-1 
  C-2




SITE

Rezone No. Z2001-053

From: A-1 To: OP

Amendment No. 01-02SS.2

From: LDR To: OFF

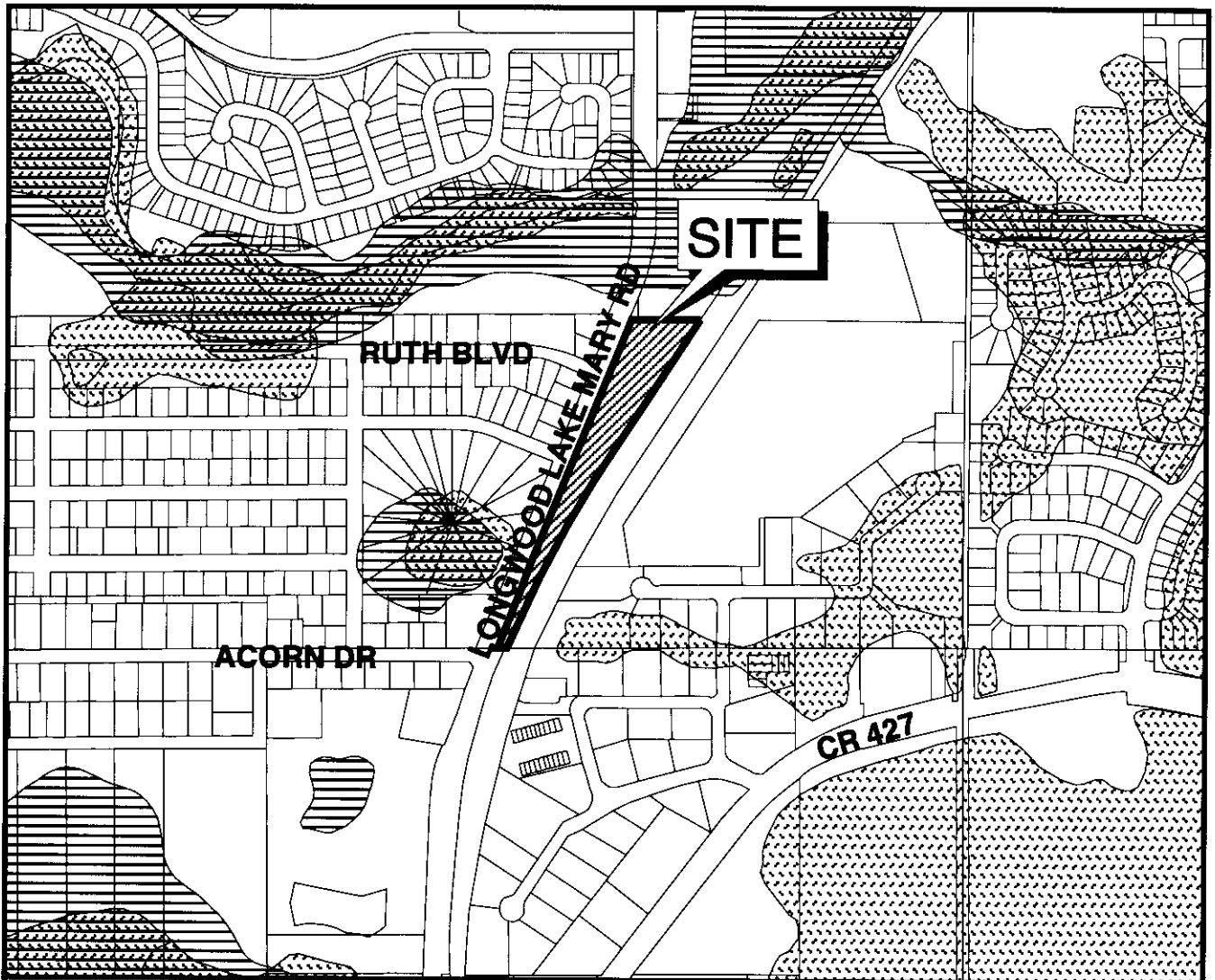
 Subject Property

 Parcelbase



February 1999 Color Aerials

# CONSERVATION



Rezone Z2001-053  
From: A-1 To: OP

-  Subject Property
-  Municipality
-  Flood
-  Wetlands



*The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.*

*\*Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.  
Floodprone area information, based on Flood Insurance Rate Maps, provided by FEMA.*

# EXECUTIVE SUMMARY

## Low Density Residential to Office

**Amendment  
01-02SS.2 &  
Z2001-053**

### REQUEST

<b>APPLICANT</b>	Lee Munizzi
<b>PLAN AMENDMENT</b>	Low Density Residential to Office
<b>REZONING</b>	A-1 (Agriculture) to OP (Office-Professional)
<b>APPROXIMATE GROSS ACRES</b>	3.9
<b>LOCATION</b>	East side of Longwood-Lake Mary Road, approximately ¼ mile south of Greenway Boulevard
<b>SPECIAL ISSUES</b>	None identified at this time.
<b>BOARD DISTRICT</b>	#2 – Commissioner Morris

### RECOMMENDATIONS AND ACTIONS

<b>STAFF RECOMMENDATION March 6, 2002</b>	<p><b>PLAN AMENDMENT:</b> Recommend approval of Planned Development land use with findings that Planned Development land use, as proposed, would be:</p> <ol style="list-style-type: none"> <li>1. Consistent with Plan policies related to the Office land use designation; and</li> <li>2. Consistent with adjacent Low Density Residential and Commercial land uses; and</li> <li>3. An appropriate transitional use at this location; and</li> <li>4. Consistent with Plan policies identified at this time.</li> </ol> <p><b>REZONE:</b> Based on the above analysis, staff recommends that the subject request:</p> <ol style="list-style-type: none"> <li>1. Is in compliance with the applicable provisions of the Vision 2020 Plan and the Seminole County Land Development Code related to OP zoning; and</li> <li>2. The request, as proposed, would be compatible with surrounding development and surrounding Future Land Use designations of Commercial and Low Density Residential.</li> </ol> <p>Therefore, staff recommends approval of the rezoning from A-1 (Agriculture) to OP (Office Professional), by means of the attached development order.</p>
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## **STAFF ANALYSIS**

### **Low Density Residential To Office**

**Amendment  
01-02SS.2 &  
Z2001-053**

1. **Property Owner:** Overstreet Investment Company
2. **Tax Parcel Number(s):** 20-20-30-300-0170-0000
3. **Applicant's Statement:** The applicant is requesting to develop the subject property with eight general office buildings.
4. **Development Trends:** The development along the west side of Longwood-Lake Mary Road primarily consists of single-family residential subdivisions with some multi-family development. To the northwest of the subject property is the Lake Mary YMCA, which is part of the Crossings Planned Unit Development. For the entire length of its eastern property line is the railroad corridor, which serves as a buffer to the industrially zoned subdivision to the southeast. To the north of the subject property, there is commercially zoned property, with which the exception of a billboard, is vacant.

## **SITE DESCRIPTION**

### **1. EXISTING AND PERMITTED USES:**

- a. The existing Low Density Residential land use and A-1 zoning would permit development of single-family homes at a net density of no greater than one dwelling unit per acre. The A-1 zoning district also permits a variety of agricultural and non-residential uses, such as churches.
- b. The requested Office land use and OP zoning, as proposed, would permit the development of general office buildings that range in size from 3,000 to 5,200 square feet.

Location	Future Land Use*	Zoning*	Existing Use
Site	Low Density Residential	A-1	Vacant
North	Commercial	C-2 (Retail Commercial)	Vacant and a billboard
South	Low Density Residential	A-1	Railroad tracks
East	Low Density Residential	A-1	Railroad tracks
West	Low Density Residential and Medium Density Residential	R-1 and R-2	Residential subdivisions and Longwood-Lake Mary Road

\* See enclosed future land use and zoning maps for more details.

## **COMPREHENSIVE PLAN CONSISTENCY**

**2. PLAN PROGRAMS** - Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction. Each application for a land use designation amendment will include a description and evaluation of any Plan programs (such as the affect on the timing/financing of these programs) that will be affected by the amendment if approved.

**Summary of Program Impacts:** The proposed amendment does not alter the options or long-range strategies for facility improvements or capacity additions included in the Support Documentation to the Vision 2020 Plan. The amendment request would not be in conflict with the Metroplan Orlando Plan or the Florida Department of Transportation's 5-Year Plan (Transportation Policy 14.1).

**A. Traffic Circulation - Consistency with Future Land Use Element:** *In terms of all development proposals, the County shall impose a linkage between the Future Land Use Element and the Transportation Element and all land development activities shall be consistent with the adopted Future Land Use Element (Transportation Policy 2.1).*

Access to the subject property is via Longwood-Lake Mary Road, a minor collector road, and has been determined to be operating at level of service "A" through travel time delay service studies.

**B. Water and Sewer Service – Adopted Potable Water and Sanitary Sewer Service Area Maps:** *Figure 11.1 and Figure 14.1 are the water and sewer service area maps for Seminole County.*

The subject property is served by Seminole County Utilities.

**C. Public Safety – Adopted Level of Service:** *The County shall maintain adopted levels of service for fire protection and rescue...as an average response time of five minutes (Public Safety Policy 12.2.2).*

The property is served by the Seminole County EMS/Fire Rescue Five Points Station (Station # 35). Response time to the site is less than 5 minutes, which meets the County's average response time standard of 5 minutes.

**3. REGULATIONS** - The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Vision 20/20 Plan, but are not applied in detail at this stage.

**A. Preliminary Development Orders: Capacity Determination:** *For preliminary development orders and for final development orders under which no development activity impacting public facilities may ensue, the capacity of Category I and Category III public facilities shall be determined as follows...No rights to obtain final development orders under which development activity impacting public facilities may ensue, or to obtain development permits, nor any other rights to develop the subject property shall be deemed to have been granted or implied by the County's approval of the development order without a determination having previously been made that the capacity of public facilities will be available in accordance with law (Implementation Policy 1.2.3).*

A review of the availability of public facilities to serve these properties indicates that there would be adequate facilities to serve this area, and that the proposed Plan amendment would create no adverse impacts to public facilities.

**B. Flood Plain and Wetlands Areas - Flood Plain Protection and Wetlands Protection:** *The County shall implement the Conservation land use designation through the regulation of development consistent with the Flood Prone (FP-1) and Wetlands (W-1) Overlay Zoning classifications...(Policy FLU 1.2 and 1.3).*

There is a small wetland on-site, which is less than one-half acre in size and will be impacted by the proposed development.

**C. Protection of Endangered and Threatened Wildlife:** *The County shall continue to require, as part of the Development Review Process, proposed development to coordinate those processes with all appropriate agencies and comply with the US Fish and Wildlife Service and the Florida Fish and Wildlife Conservation Commission Rules as well as other applicable Federal and State Laws regarding protection of endangered and threatened wildlife prior to development approval (Conservation Policy 3.13).*

None observed by the Natural Resources Officer of Seminole County.

**4. DEVELOPMENT POLICIES** - Additional criteria and standards are also included in the Plan that describe when, where and how development is to occur. Plan development



policies will be used to evaluate the appropriateness of the use, intensity, location, and timing of the proposed amendment.

A. **Compatibility:** When the County's Future Land Use Map (FLUM) was developed in 1987, land use compatibility issues were evaluated and ultimately defined through a community meeting/hearing process that involved substantial public comment and input. When amendments are proposed to the FLUM, however, staff makes an initial evaluation of compatibility, prior to public input and comment, based upon a set of professional standards that include, but are not limited to criteria such as: (a) long standing community development patterns; (b) previous policy direction from the Board of County Commissioners; (c) other planning principles articulated in the Vision 2020 Plan (e.g., appropriate transitioning of land uses, protection of neighborhoods, protection of the environment, protection of private property rights, no creation of new strip commercial developments through plan amendments, etc.).

Based upon an initial evaluation of compatibility, Planned Development land use, as proposed, would be consistent with Plan policies identified at this time and therefore is consistent with the Seminole County Comprehensive Plan.

Applicable Plan policies include, but are not limited to, the following:

1. **Transitional Land Uses:** *The County shall evaluate plan amendments to insure that transitional land uses are provided as a buffer between residential and non-residential uses, between varying intensities of residential uses, and in managing the redevelopment of areas no longer appropriate as viable residential areas. "Exhibit FLU: Appropriate Transitional Land Uses" is to be used in determining appropriate transitional uses. (Policy FLU 2.5)*

The Office future land use designation is considered a compatible transitional land use adjacent to commercial and light industrial land uses and may be a compatible transitional land use adjacent to Low Density Residential with the use of sensitive site design, sufficient buffering, and architectural controls. While the area surrounding the subject property already boasts a number of non-residential uses, Planning Staff believes that with additional landscaping Longwood-Lake Mary Road, low monument style signage, and the buildings kept to a residential scale and design, the proposed use would be a compatible transitional land use without further altering the character and viability of the existing residential to the west. However, although the adjacent property to the east of the proposed development the railroad corridor and retention facility has a future land use designation of Low Density Residential, it is Staff's opinion that these uses serve as sufficient buffers. Therefore, Planning Staff does not believe that the proposed development should have any additional active/passive buffers along its eastern property line.

Other applicable plan policies include:

Extension of Service to New Development: Potable Water Policy 11.4.5  
Extension of Service to New Development: Sanitary Sewer Policy 14.4.4  
Consistency with Future Land Use Element: TRA Policy 8.1  
Access Management: Policies TRA 3.8 and TRA 6.15  
Dedication of Access Rights: Policy TRA 6.13

**C. Concurrency Review - Application to New Development:** *For purposes of approving new development subsequent to adoption of this Comprehensive Plan, all adopted public safety level of service standards and schedules of capital improvements...shall be applied and evaluated...consistent with policies of the Implementation Element... (Capital Improvements Policy 3.2).*

This policy provides for the adoption of level of service (LOS) standards for public facilities and requires that final development orders be issued only if public facilities meeting the adopted LOS are available or will be available concurrent with the development. Additionally, preliminary development orders shall only be issued with the condition that no rights to obtain final development orders or development permits, nor any other rights to develop the subject property are granted or implied by the County's approval of the preliminary development order.

**5. COORDINATION** - Each application for a land use designation amendment will be evaluated to assess how and to what extent any additional intergovernmental coordination activities should be addressed.

**A. Plan Coordination:** *The County shall continue to coordinate its comprehensive planning activities with the plans and programs of the School Board, major utilities, quasi-public agencies and other local governments providing services but not having regulatory authority over the use of land (Intergovernmental Coordination Policy 8.2.12). Seminole County shall coordinate its comprehensive planning activities with the plans and programs of regional, State and Federal agencies by...as the County is now a charter County (Intergovernmental Coordination Policy 8.3.3).*

The Vision 2020 Plan fully complies with the State Comprehensive Plan adopted pursuant to Chapter 187, Florida Statutes, and the Strategic Regional Policy Plan of the East Central Florida Regional Planning Council pursuant to Chapter 163, Florida Statutes. Consistency with the State Plan and the Regional Policy Plan will be evaluated by individual review agencies during the Plan amendment review process.

**FILE #            Z2001-053; 01.02SS.2**

**DEVELOPMENT ORDER # 1-22000004**

**SEMINOLE COUNTY DEVELOPMENT  
ORDER**

On April 9, 2002, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description attached as Exhibit A.

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

**FINDINGS OF FACT**

**Property Owner:**                      Overstreet Investment Company  
   P.O. Box 111  
   Orlando, Florida 32802

**Project Name:** Lakewood Pointe Small Scale Land Use Amendment and Rezoning

**Requested Development Approval:** Rezoning from A-1 (Agriculture) zoning classification to OP (Office Professional) zoning classification

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: AMANDA SMITH  
1101 East First Street  
Sanford, Florida 32771

Order

**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

- a. All signage for the site shall adhere to the Lake Mary Boulevard Overlay standards.
- b. In lieu of an active/passive buffer along the eastern property line, adjacent to the railroad corridor, there shall be a five foot landscaping buffer consisting of understory trees every twenty (20) feet and hedge materials of three (3) feet in height at the time of planting.
- c. Deliveries and trash pick-up shall be limited to between 7:00 a.m. to 5:00 p.m.
- d. On-site building lighting shall be limited to wall-washer or up-light fixtures that do not produce spillover lighting; floodlight fixtures mounted on building walls, roofs or poles are prohibited. Internal site lighting shall be shoebox in style and not exceed fifteen (15) feet in height.
- e. Landscaping along Longwood-Lake Mary Road shall include a row of canopy and a row of understory trees which shall be staggered to provide maximum visual screening. Trees shall have a minimum caliper of three (3) inches and the owner shall provide two (2) canopy trees and four (4) understory trees per 100 lineal feet of the property boundary.
- f. If counted as open space, the stormwater retention facility shall be aesthetically enhanced.
- g. No neon lights shall be utilized on buildings or signs. No billboards or electronic message type signage shall be permitted.
- h. Roofs shall be hip or gable. No visible flat roofs. Rooflines and features shall be consistent with the building's mass and scale.
- i. All utilities shall be underground.
- j. The architectural style of the buildings shall be similar in style as depicted in Exhibit "C".

**FILE #           Z2001-053; 01.02SS.2**

**DEVELOPMENT ORDER # 1-22000004**

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

**Done and Ordered on the date first written above.**

By: \_\_\_\_\_  
Donald S. Fisher  
Planning and Development Director

**STATE OF FLORIDA        )**

**COUNTY OF SEMINOLE    )**

**I HEREBY CERTIFY** that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Donald S. Fisher who is personally known to me or who has produced \_\_\_\_\_ as identification and who executed the foregoing instrument.

**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires:

FILE #            Z2001-053; 01.02SS.2

DEVELOPMENT ORDER # 1-22000004

**OWNER'S CONSENT AND COVENANT**

**COMES NOW**, the owner, \_\_\_\_\_, Overstreet Investment Company, on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Overstreet Investment Company  
Property Owner

\_\_\_\_\_  
Witness

**STATE OF FLORIDA        )**

**COUNTY OF SEMINOLE    )**

**I HEREBY CERTIFY** that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared \_\_\_\_\_ who is personally known to me or who has produced \_\_\_\_\_ as identification and who executed the foregoing instrument.

**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires:

**FILE #           Z2001-053; 01.02SS.2**

**DEVELOPMENT ORDER # 1-22000004**

**EXHIBIT "A"**

**LEGAL DESCRIPTION**

THAT PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER, EAST OF LONGWOOD-LAKE MARY ROAD AND WEST OF RAILROAD IN SECTION 20, TOWNSHIP 20 SOUTH, RANGE 30 EAST SEMINOLE COUNTY, FLORIDA.

Containing 3.9 acres, more or less.

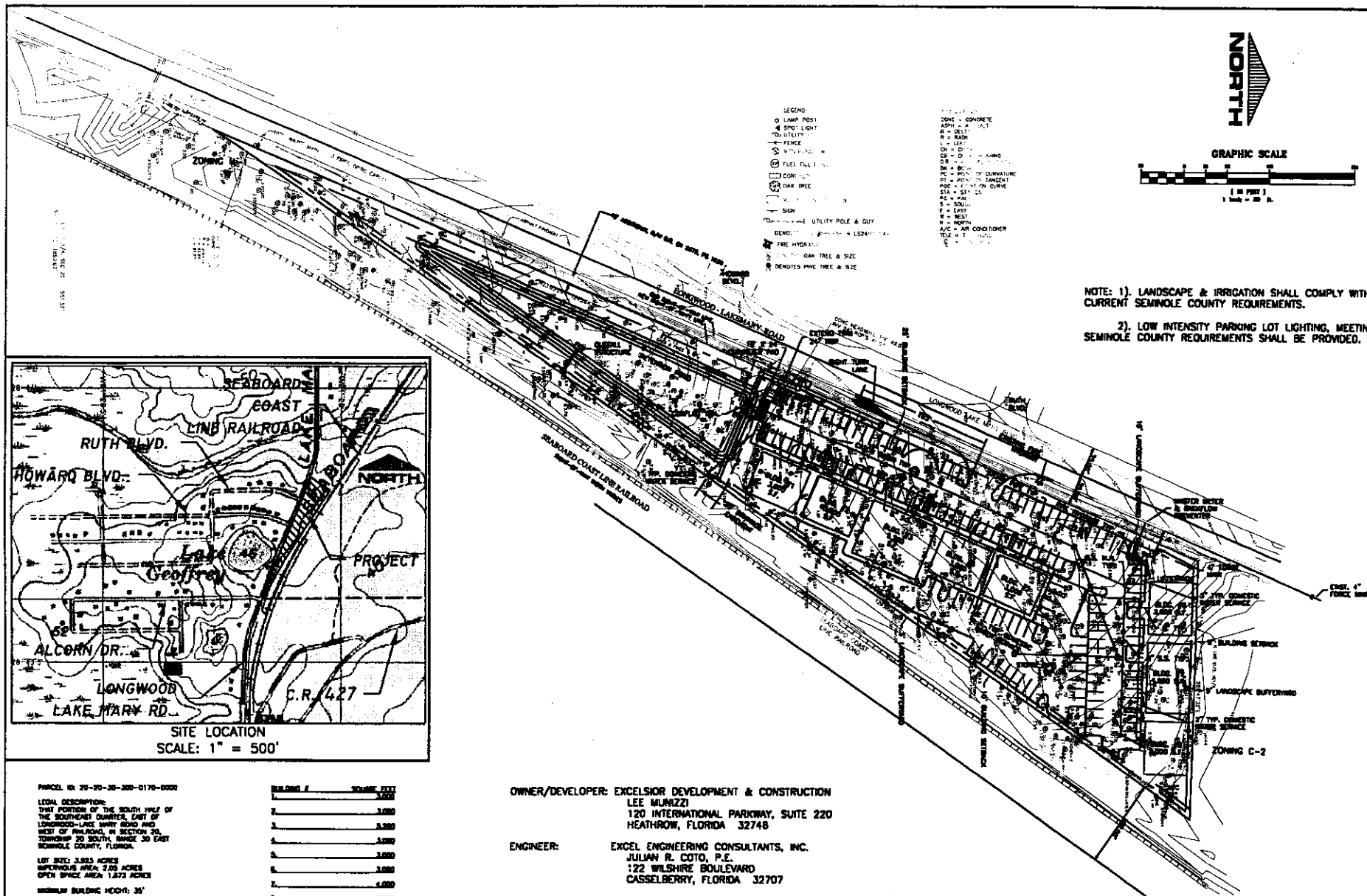
**FILE #            Z2001-053; 01.02SS.2**

**DEVELOPMENT ORDER # 1-22000004**

**EXHIBIT "B"**

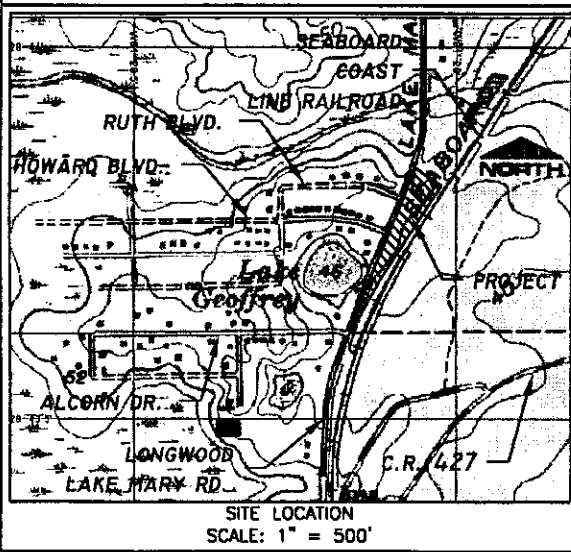
**SITE PLAN**





NOTE: 1). LANDSCAPE & IRRIGATION SHALL COMPLY WITH CURRENT SEMINOLE COUNTY REQUIREMENTS.

2). LOW INTENSITY PARKING LOT LIGHTING, MEETING SEMINOLE COUNTY REQUIREMENTS SHALL BE PROVIDED.



PARCEL ID: 20-20-30-300-0170-0000

**LEGAL DESCRIPTION:**  
THAT PORTION OF THE SOUTH HALF OF  
THE SOUTHEAST QUARTER, EAST OF  
LONGWOOD-LACE SNYR ROAD AND  
WEST OF RAILROAD, IN SECTION 30,  
TOWNSHIP 20 SOUTH, RANGE 30 EAST  
BROWNSVILLE COUNTY, FLORIDA.

LOT SIZE: 3.925 ACRES  
IMPERVIOUS AREA: 2.00 ACRES  
OPEN SPACE AREA: 1.925 ACRES

MAXIMUM BUILDING HEIGHT: 35'  
CURRENT ZONING: LDR A-1  
PROPOSED ZONING: DP

**PARKING SPACE:**  
REQUIRED: 1 PARKING SPACE FOR  
EACH 200 S.F. OF GROSS FLOOR AREA.  
25,000 S.F. OF BUILDING  
(1 ONE-STORY BUILDING 80' X 50',  
1 ONE-STORY BUILDING 80' X 50',  
& 1 ONE-STORY BUILDING 80' X 85')

NEED PARKING: 136 SPACES  
PROVIDED PARKING: 136 SPACES  
HANDICAP SPACES REQUIRED: 9  
PROVIDED HANDICAP SPACES: 9

Real Estate #	Schedule JEK
1.	3,000
2.	3,000
3.	5,000
4.	3,000
5.	3,000
6.	3,000
7.	4,000
8.	3,000
TOTAL	27,000

OWNER/DEVELOPER: EXCELSIOR DEVELOPMENT & CONSTRUCTION  
LEE MURIZZI  
120 INTERNATIONAL PARKWAY, SUITE 220  
HEATHROW, FLORIDA 32748

ENGINEER: EXCEL ENGINEERING CONSULTANTS, INC.  
JULIAN R. COTO, P.E.  
122 WILSHIRE BOULEVARD  
CASSELBERRY, FLORIDA 32707

**SURVEYOR:** MIMS SURVEYING & MAPPING, INC  
WALTER MIMS  
8238 FORT THOMAS WAY  
ORLANDO, FLORIDA 32822

**GEOTECHNICAL:** ANDREYEV ENGINEERING, INC.  
NICOLAS E. ANDREYEV, P.E.  
105 COASTLINE ROAD  
SANFORD, FLORIDA 32771

**WATER/SEWER SERVICE: SEMINOLE COUNTY**

**ELECTRIC SERVICE: FLORIDA POWER**

TELEPHONE SERVICE: BELL SOUTH

**CABLE SERVICE:** TIME WARNER

PROJECT NO.  
EDC0121

SCALE: 1" = 30'  
DRAWN BY: GOS  
CHECKED BY: JAC  
APPROVED BY: JAC  
DATE: 12.01.01

SHT. NO. 1  
OF 1

**FILE #**

**Z2001-053; 01.02SS.2**

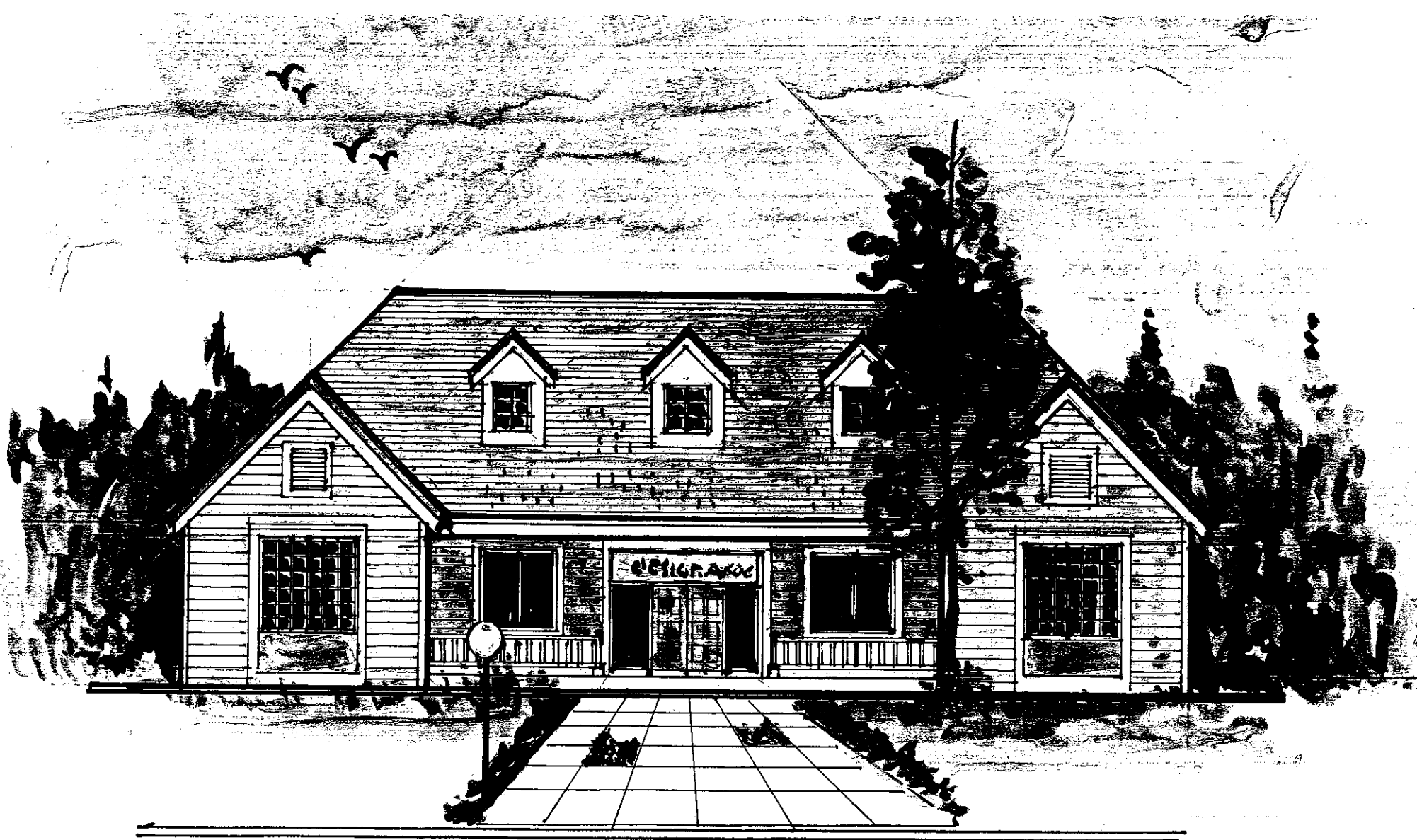
**DEVELOPMENT ORDER # 1-22000004**

**EXHIBIT "C"**

**ARCHITECTURAL RENDERINGS**



**MODEL 3000**



**MODEL 4000**



**MODEL 5200**